IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

WRIT PETITION NO.9481 OF 2004

Mr.Bajranglal Agarwal.....Petitioner

Versus

The State of Maharashtra & Ors...Respondents

Mr.A.M. Saraogi, for the Petitioner
Mr.D.A.Patil, A.G.P. for the Respondent Nos.1 to 3.

CORAM: F.I. REBELLO J.
DATE : 12th January, 2005

P.C.:

. The petition had been preferred against the respondent No.4 for disqualification on the ground that he was not eligible to contest being a Director of M/s.Seeravi Finance & Investment Ltd. and on the Board of Directors of Mangal Co-operative Bank Ltd. During the pendency of the proceedings he resigned on 9th May, 2003. Fresh elections were thereafter held to which the Respondent NO.4 herein has been reelected for the period 2003-2008.

2. The contention of the petitioner herein is that even if the petitioner had resigned the petition could have been disposed of as otherwise the respondent NO.4 would have incurred disqualification. That could have been examined if the petition was under Section 73FF(2) or under Section 73FF(3). That is not the case here. Considering that no interference called for. Petition rejected.

(F.I.REBELLO, J.)